

# Exhibit A

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

Date filed with Court: \_\_/\_\_/21

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STEPHEN A. KUNCIO,

Index No.:

Plaintiff,

**SUMMONS**

-against-

Plaintiff designates Westchester  
County as the place of trial  
herein. The basis of venue is  
Plaintiff's residence in Westchester  
County, NY.

MARQUES O. ARMSTRONG and AMAZON  
LOGISTICS, INC.,

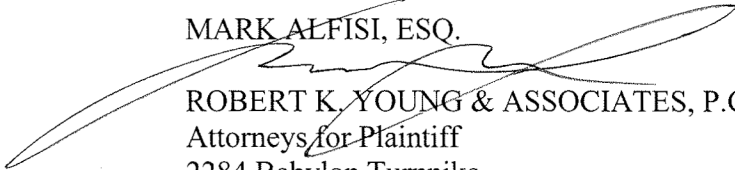
Defendants.  
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**TO THE ABOVE-NAMED DEFENDANTS:**

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's attorney within twenty (20) days after the service of this summons, exclusive of the day of service or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York; and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: December 14, 2021  
Merrick, New York

MARK ALFISI, ESQ.

  
ROBERT K. YOUNG & ASSOCIATES, P.C.  
Attorneys for Plaintiff  
2284 Babylon Turnpike  
Merrick, New York 11566  
(516) 826-8938

**DEFENDANTS' ADDRESSES:**

MARQUES O ARMSTRONG: 180 Knowlton Street, Stratford, CT 06615;  
AMAZON LOGISTICS, INC.: 410 Terry Avenue North, Seattle, WA 98109

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

-----X  
STEPHEN A. KUNCIO,

Index No.:

**VERIFIED COMPLAINT**

Plaintiff,

-against-

MARQUES O. ARMSTRONG and AMAZON  
LOGISTICS, INC.,

Defendants.

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Plaintiff, STEPHEN A. KUNCIO, by and through his attorneys, ROBERT K. YOUNG & ASSOCIATES, P.C., as and for his **VERIFIED COMPLAINT**, alleges the following:

1. At all times herein mentioned Plaintiff, STEPHEN A. KUNCIO, was and still is a resident and domiciliary of 9 Sawgrass Drive, Katona, Westchester County, New York 10536.
2. At all times herein mentioned, Plaintiff was lawfully operating a bicycle.
3. At all times herein mentioned, AMAZON LOGISTICS, INC., owned a certain 2021 Dodge motor vehicle bearing Connecticut plate number BA89434 for the year 2021.
4. At all times herein mentioned, Defendant, MARQUES O. ARMSTRONG, operated, maintained and controlled the aforementioned Dodge motor vehicle by and with the knowledge and consent of the owner thereof and in the course of his employment therewith.
5. That on or about November 7, 2021 at approximately 2:00 p.m. on Salem Road at or near its intersection with Patterson Road, Town of Pound Ridge, Westchester County, New York, Defendants' aforesaid motor vehicle was operated in such a negligent, reckless and careless manner and in such a way so as to cause it to improperly come into contact and violently collide with Plaintiff thereby causing Plaintiff, STEPHEN A. KUNCIO, to sustain severe and serious permanent personal injuries as hereinafter set forth and which required the aid of medical attention and assistance and which incapacitated him.
6. That the aforesaid occurrence was solely due to the negligence of Defendants and without any contributory negligence on the part of Plaintiff.

7. That Plaintiff, STEPHEN A. KUNCIO, sustained severe and serious personal injuries and economic loss as defined in Article 51 of the Insurance Law of the State of New York and particularly Subdivision (d) of § 5102 thereof.

8. That Plaintiff, STEPHEN A. KUNCIO, is a covered person as defined by the Insurance Law of the State of New York.

9. That upon information and belief Plaintiff, STEPHEN A. KUNCIO, has sustained economic loss greater than basic economic loss as defined in Subdivision (a) of §5102 of the Insurance Law of the State of New York and, that by reason thereof, said Plaintiff is entitled to recover for noneconomic loss and for such economic losses as are not included within the definition of "basic economic loss" as set forth in the Insurance Law of the State of New York.

10. That this action falls within one or more of the exceptions set forth in CPLR §1602.

11. That as a consequence of Defendants' aforesaid negligence Plaintiff, STEPHEN A. KUNCIO, was internally, externally and permanently injured and has been prevented from pursuing and/or tending to his usual occupation and duties and that the same may continue for the remainder of his natural life.

12. That Plaintiff, STEPHEN A. KUNCIO, sustained severe and serious personal injuries and economic loss as defined in §5102 of the Insurance Law of the State of New York; that upon information and belief, she will continue to suffer from the aforesaid serious and permanent personal injuries for the remainder of her natural life and from the concomitant effects and sequelae thereof and therefrom.

13. That Plaintiff, STEPHEN A. KUNCIO, has been obliged to seek and obtain medical attention and may for the remainder of his natural life require medical consultations and attentions solely as a result of Defendants' aforesaid negligence.

14. That solely as a result of the foregoing Plaintiff, STEPHEN A. KUNCIO, has been damaged in an amount exceeding the statutory limits of any lower court having jurisdiction over this matter and in an amount that shall be determined at the time of trial herein.

amount that shall be determined at the time of trial herein.

WHEREFORE, Plaintiff, STEPHEN A. KUNCIO, demands judgment herein against the Defendants, MARQUES O. ARMSTRONG and AMAZON LOGISTICS, INC., in an amount exceeding the statutory limits of any lower court having jurisdiction over this matter and in an amount to be determined at the time of trial herein; all together with the costs and disbursements incurred herein.

Dated: December 14, 2021  
Merrick, New York

MARK ALFISI, ESQ.

ROBERT K. YOUNG & ASSOCIATES, P.C.

Attorneys for Plaintiff

2284 Babylon Turnpike

Merrick, New York 11566

(516) 826-8938

## ATTORNEY VERIFICATION

STATE OF NEW YORK                    )  
  ss.    )  
COUNTY OF NASSAU                    )

MARK ALFISI, is an attorney duly admitted to practice law in the courts of the State of New York, affirms under penalty of perjury the truth of the following:

1. That he is associated with the law firm of ROBERT K. YOUNG & ASSOCIATES, P.C., the attorneys of record for the Plaintiff in the within action; that he has read the foregoing SUMMONS & VERIFIED COMPLAINT and knows the contents thereof; that the same is true to affirmant's knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters, affirmant believes it to be true; and that the source of affirmant's knowledge and the grounds of belief as to those matters therein stated to be alleged on information and belief are correspondence, investigations and reports caused to be made by affirmant and submitted to him as attorney for the Plaintiff which he verily believes to be true.

2. That the reason this Verification is made by affirmant and not by the Plaintiff is because the Plaintiff does not reside within the County of Nassau where affirmant maintains her principal office.

Dated: December 14, 2021  
Merrick, New York



MARK ALFISI, ESQ.

Index No.:Year:

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF WESTCHESTER

STEPHEN A. KUNCIO,

Plaintiff,

-against-

MARQUES O. ARMSTRONG and AMAZON, LOGISTICS, INC.,

Defendant,

ROBERT K. YOUNG & ASSOCIATES, P.C.

Attorney(s) for PLAINTIFF

Office and Post Office Address, Telephone

2284 BABYLON TURNPIKE

MERRICK, NEW YORK 11566

(516) 826-8938

(516) 826-4456

FAX: (516) 826-8932

SUMMONS AND VERIFIED COMPLAINT

To

Attorney(s) for

Service of a copy of the within is hereby admitted.

Dated,

Attorney(s) for

Sir: Please take notice

☐ NOTICE OF ENTRY

that within is a (certified) true copy of a

duly entered in the office of the clerk of the within named court on

☐ NOTICE OF SETTLEMENT

that an order of which the within is a true copy will be presented for

settlement to the HON. one of the judges

of the within named Court, at

on the day of 20 at M.

Dated:

COMPLIANCE PURSUANT TO 22 NYCRR § 130-1.1-a

To the best of the undersigned's knowledge, information and belief formed after an inquiry reasonable under the circumstances, the within document(s) and contentions contained herein are not frivolous as defined in 22 N CRR § 130-1.1-a.

Yours, etc.

Robert Young & Associates

Attorney(s) for

Office and Post Address

2284 BABYLON TTURNPIKE

MERRICK, NY 11566

(516) 826-8938

(516) 826-4456

JONATHAN VAN DINA ESQ.

ROBERT K. YOUNG & ASSOCIATES, P.C.

To

Attorney(s) for



**AFFIDAVIT OF SERVICE THROUGH THE SECRETARY OF STATE**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

Purchased/Filed: December 17, 2021

Index Number: 67596/2021

*Stephen A. Kuncio*

Plaintiff(s)

against

*Marques O. Armstrong et al*

Defendant(s)

STATE OF NEW YORK  
COUNTY OF Nassau

SS.:

Juliya Maiouchkina, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on January 10, 2022, at 9:00 AM, at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed Summons and Verified Complaint bearing Index Number and Date of Filing, Notice of Electronic Filing

on

Amazon Logistics, Inc.

, the

Defendant in this action, by delivering to and leaving with Nancy Dougherty,

AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, 99 Washington Avenue, Albany, NY 12210.

2 true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40 dollars; That said service was made pursuant to Section 306 Business Corporation Law.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 65 Approx. Wt: 120-130 Approx. Ht: 5'5"Color of skin: White Hair color: Brown Sex: Female Other: \_\_\_\_\_

Sworn to before me on this

11th day of January 2022

ALEXANDER JAMES  
NOTARY PUBLIC, STATE OF NEW YORK  
REGISTRATION NO. 01JA6029931  
QUALIFIED IN NASSAU COUNTY  
COMMISSION EXPIRES AUGUST 30, 2025

Juliya Maiouchkina

Attny's File No. 11/7/21

Invoice/Work Order # 1639437